

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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FRANK BLUE,

Plaintiff,

Case No. 1:24-cv-511

v.

Honorable Sally J. Berens

UNKNOWN BAILEY et al.,

Defendants.

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**ORDER FOR PARTIAL DISMISSAL**

In accordance with the opinion filed this date:

**IT IS ORDERED** that Plaintiff's action against Defendants Bailey and Burks be **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997e(c).

**IT IS FURTHER ORDERED** that, Plaintiff's official capacity claims for monetary damages and injunctive relief and his personal capacity claims for injunctive relief against Defendants Fatoki, Unknown Party #1 named as Nurse Dave, Unknown Party #2 named as Nurse Karen, Hyun, Tober, Miller, Lange, and Bowman be **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997e(c).

Dated: August 15, 2024

/s/ Sally J. Berens

SALLY J. BERENS

United States Magistrate Judge